

STUDENT CODE OF CONDUCT

2026-2027



Sam Houston
State University

CONTENTS

WELCOME	2
INTRODUCTION MISSION/VISION/VALUES	4
Our Mission	4
Our Vision	4
Our Values	4
Strategic Priorities	5
BEARKAT	5
UNIVERSITY SEAL	5
UNIVERSITY LOGO	6
UNIVERSITY COLORS	6
ALMA MATER	6
FIGHT SONG	6
MOTTO	6
STUDENT CODE OF CONDUCT	7
GENERAL PROVISIONS	7
STUDENT RESPONSIBILITIES	10
ADMINISTRATION OF THE STUDENT	14
CODE OF CONDUCT	
APPEAL PROCESS	26
NOTES	29

WELCOME



Dear Students,

Welcome to Sam Houston State University! Whether you are a first-year student, transfer student or a returning student, we are honored that you chose Sam Houston State to be your educational home.

SHSU offers many wonderful opportunities for meaningful experiences in and outside of the classroom, and I encourage you to take advantage of as many of these as possible. You will have incredible educational opportunities and will learn from faculty who are tops in

their fields. SHSU is an ideal place to build life-long relationships not only with other students, but with faculty, staff and alumni who are dedicated to helping you succeed academically, professionally, and socially. Embrace the opportunities that come your way.

Every Bearkat is expected to adhere to university rules and regulations, so please read the Student Code of Conduct carefully. I also ask that you protect the rights of others on campus, treat everyone with respect and dignity, be kind and be an integral part of our community.

Remember that Sam Houston State University faculty and staff are dedicated to helping you succeed. We are here to help you. Reach out, ask questions, and engage in the opportunities offered to you.

Welcome to our Bearkat family. Best wishes for a great year!

Sincerely,

A handwritten signature in black ink that reads "Alisa White". The signature is fluid and cursive.

Alisa White, Ph.D.
President, Sam Houston State University

WELCOME



Hello Bearkats, and welcome to your new home!

Starting a new chapter at Sam Houston State is more than just moving into a residence hall or picking out school supplies. It's stepping into a community where you'll learn, grow, and make memories that will last a lifetime.

This university is full of chances to connect, lead, and explore. Whether you're joining a student organization, getting involved in campus events, or finding your voice through student leadership, there's a place here just for you. Trust me if you're wondering

whether you'll fit in, you will.

As your Student Body President, I want you to know that your voice matters. Our team at the Student Government Association is here to support you, listen to your ideas, and work to improve the student experience as much as we can. You're always welcome to stop by our office in the Lowman Student Center, Suite 314, we are here for the big things, the small things, and everything in between.

Be sure to follow us on Instagram @samhouston_sga for more information on what we do, and to stay in the loop on all of our future events and meetings. We can't wait to see how you leave your mark here. Once again WELCOME HOME!

Sincerely,

Je'hmorey Coleman
Student Body President, Sam Houston State University

INTRODUCTION

MISSION/VISION/VALUES

Our Mission

Sam Houston State University is a student-centered, community engaged institution whose mission is to offer an accessible, quality higher education. The university offers a variety of innovative and flexible degree programs at the undergraduate, graduate, and professional levels focused on career readiness, personal and professional development, and service. SHSU provides integrated

academic and student success services designed to support traditional and non-traditional students from diverse backgrounds.

Our Vision

Sam Houston State University will provide a transformative environment that enables students from diverse backgrounds to become leaders who serve their families, communities, and professions. We aspire to make SHSU both the best value in higher education and the top regional public university in the state of Texas. We will accomplish this through providing high quality, innovative, and flexible

academic programs; a commitment to student success, scholarship and creative works; and engagement that solves the most critical challenges facing the world.

Our Values

Sam Houston State University is a student-focused, collaborative community that values personal growth and life-long engagement through the promotion of integrity and academic excellence.

- . Student Success and Support
- . Academic Excellence
- . Service and Community Support
- . Inclusive Excellence
- . Collaborative Environment
- . Honor
- . Creativity and Innovation

Strategic Priorities

Priority #1

Prioritize student success and student access.

Priority #2

Embody a culture of excellence.

Priority #3

Elevate the reputation and visibility of SHSU.

Priority #4

Expand and elevate our service to the State and beyond.

shsu.edu/strategic-plan/

BEARKAT

Sam Houston State University's athletic teams have been nicknamed "The Bearkats" since 1923 when the University's name was changed by the Texas State Legislature from Sam Houston Normal Institute to Sam Houston State Teachers College. Prior to 1923, the varsity sports teams were nicknamed "The Normals." It is doubtful those who coined the "Bearkat" nickname had a particular animal in mind, however. More likely, the name came from a popular local saying of the time, "tough as a Bear-kat!" The late Reed Lindsey, who was a student/athlete in the 1920s and later retired as University Registrar, once said that "it was a good fighting name of the time." Since the animal in the saying was thought more mythical than real, the spelling settled upon was "Bearkat." In the late 1940s, then SHSU president

Harmon Lowman attempted to change the SHSU mascot from Bearkats to "Ravens" (after General Sam Houston's Cherokee nickname). Mrs. Vernon Schuder reported that the alumni were polled; she voted for the raven but that "all those old Bearkats beat us out!" The current Sammy Bearkat mascot character began appearing at SHSU sports events in 1959.

UNIVERSITY SEAL

The Official University Seal (depiction of Sam Houston with his cane) is used in the most formal applications and expressions of the University's identity and is reserved as a formal insignia for documents of institutional and legal importance.



UNIVERSITY LOGO

Sam Houston State University has adopted as its official logo an orange "SH." Where the seal is used for more formal presentations, the logo can be used in all other applications.



UNIVERSITY COLORS

The official colors for Sam Houston State University are: ORANGE & WHITE

ALMA MATER

Hail to Sam Houston, School we love best,
Mighty in battle, True to the test.
Bearcats so loyal, Ever we'll be.
Orange and white Will lead us to victory!
Hail, Alma Mater. Hats off to you,
Ever you'll find us Loyal and true;
Firm and undaunted, Ever we'll be,
Here's to the school we love
Here's a toast to thee.

FIGHT SONG

Bearkat Fight Song
Fight, fight you Bearcats!
Fight on through!
We're here in back of you!
You know we're here to win
So fight until the end.
FIGHT! FIGHT! FIGHT!
Loyal we'll ever be and true to SHSU
We'll fight and fight with all our might
For Sam Houston's Orange and White!

MOTTO

"The measure of a Life is its Service"

STUDENT CODE OF CONDUCT

1) GENERAL PROVISIONS:

1.01 - Code Applicability

Application

This Code applies to the following:

- . Accepted Students
- . Admitted Students
- . Enrolled Students
- . Returning Students

Exclusions

1. This Code does not apply to individuals who have been academically suspended or expelled from the University unless the alleged violation occurred when the individual was subject to this Code before suspension or expulsion.

For disciplinary purposes, this Code does not apply to unrecognized or informal student groups not officially registered with the University. However, such groups may be subject to federal hazing reporting requirements under the Stop Campus Hazing Act. Individual members of unrecognized or informal student groups are subject to this Code.

Scope of Conduct:

1. This Code applies to conduct occurring on University Property or off-campus, including activities sponsored by Student Organizations, when such conduct: (a) adversely affects the University's educational mission (b) poses a risk to the health, safety, or well-being of members of the University community; or (c) occurs in connection with University-sponsored or University-affiliated activities or programs.

This Code applies to conduct in virtual or online environments, including social media, online classrooms, or other digital platforms, when such conduct adversely affects the University's educational mission or community safety.

Violations by Student Organizations may result in sanctions against the organization and/or disciplinary action against individual members under this Code.

The University may pursue disciplinary action for violations of this Code independently of any civil or criminal proceedings.

For compliance with the Stop Campus Hazing Act, the University will report hazing incidents involving any student organization (recognized or unrecognized) in its Annual Security Report and hazing violations by recognized student organizations in its Campus Hazing Transparency Report as required by federal law.

Interpretation

Interpretation of this Code is delegated to the Dean of Students or designee and will be made in a manner consistent with University policy, TSUS Rules and Regulations, and applicable law. Such interpretations are subject to review through established University conduct-related processes.

1.02 - Definitions

Accepted Students: Persons who have been notified of their acceptance and who are engaged in University-related activities or present on University Property.

Admitted Students: Persons who have completed admission requirements and who are engaged in University-related activities or present on University Property.

Business Day: A business day is any weekday during which the University is open for normal operations, excluding official holidays and closures.

Class Day: A class day is any day on which the University is conducting regular academic instruction, excluding weekends, official holidays, and designated University closures.

Complainant: An individual or entity reporting an alleged violation of this Code.

Disciplinary Action: Any proceeding initiated under Section 3 of this Code.

Enrolled Students: Persons enrolled in courses at the University, whether full-time or part-time, pursuing undergraduate, graduate, or professional studies, including those participating in online or hybrid programs.

Hazing: Hazing is defined in accordance with the Texas Education Code §§ 37.151–37.153 and the Federal Stop Campus Hazing Act and includes, but is not limited to, any intentional, knowing, or reckless act occurring in connection with initiation, affiliation, or continued membership in a student organization that causes or creates a risk of physical or psychological injury.

Hearing Officer: A University employee appointed by the President, Vice President for Student Affairs (VPSA), or Dean of Students to conduct hearings.

Mutual Resolution Agreement (MRA): A voluntary agreement between a student and the University through which the student accepts responsibility for alleged misconduct, waives applicable conduct proceedings, and agrees to specified sanctions.

Notice: Notice shall be considered effective upon transmission to a student's University-issued email address. For student organizations, notice shall be sent to the organization's president (or designee) of record with the University and the organization's advisor of record with the University. Transmission of notice to a student's University-issued email account constitutes sufficient notice under this Code regardless of whether the student reads, accesses, or acknowledges the communication.

Preponderance of Evidence: The greater weight of credible evidence is presented.

Published University Policy: A written regulation or policy promulgated by the Texas State University System, the University, or any of its schools, colleges, divisions, departments, or offices.

Respondent: An individual or Student Organization accused of violating this Code.

Returning Students: Persons who are no longer enrolled but are alleged to have violated this Code during their period of enrollment, provided they were not academically suspended at the time of the alleged violation.

Student Organization: Registered student organizations, Fraternity & Sorority Life organizations, clubs, societies, associations, club sports teams, athletic teams, bands, student government, and other groups officially recognized by the University. For the purposes of this Code, disciplinary action applies to the collective actions, events, or activities organized or sponsored by such recognized groups, whether on or off University Property. For federal reporting purposes under the Stop Campus Hazing Act, “student organization” includes any group with two or more enrolled students, whether recognized or not.

University: Sam Houston State University, including all affiliate campuses – The Woodlands Campus, College of Osteopathic Medicine, Health Professions Building, and Polytechnical College.

University Official: Any person acting in an official capacity for the University, including members of the Board of Regents, administrative officers, faculty members, and staff members.

University Property: All property—real, personal, tangible, intangible, digital, or intellectual—that is owned, controlled, used, or occupied by the University.

University-Sponsored Activities: Events, programs, or functions organized, paid for (in whole or part), or associated with the University or a Student Organization, whether on University Property or at off-campus locations (e.g., retreats, social gatherings, competitions, service projects, or conferences).

1.03 - Awareness of Policies

1. It is every student’s responsibility to be familiar with and adhere to all published University and TSUS policies, rules, and regulations. Lack of familiarity with these policies, rules, and regulations does not discharge students from the responsibility of compliance. University policies can be located at the University’s website; however, this is not an exhaustive list of all published TSUS and University policies.

Individuals with questions on this Code, University Policies, and TSUS rules and regulations are encouraged to contact the Dean of Students’ Office for more information.

Scope of Organizational Authority:

Student organizations may be held accountable under this Code for conduct occurring through the actions of the organization, its officers, members, representatives, guests, or participants when acting on behalf of or in connection with the organization.

Certain organizational matters may also be addressed through additional University policies and procedures administered by other offices.

Protected Expression:

Nothing in this Code shall be interpreted or applied in a manner that infringes upon rights protected by the United States Constitution, the Texas Constitution, applicable federal or state law, TSUS policy, or University policies governing freedom of expression.

Expression or conduct that is protected by law shall not be considered a violation of this Code solely because it is offensive, unpopular, controversial, or disagreeable. Conduct that otherwise violates this Code is not protected merely because expressive activity is involved.

2) STUDENT RESPONSIBILITIES

Conduct Required

Students shall conduct themselves in a manner that supports the University's mission as an educational institution. Students who conduct themselves in a manner that violates the Code may be subject to disciplinary actions aimed at educating students and restoring community standards.

Immunity For Good Faith Reporting

A student who, in good faith, reports hazing or participates in an investigation shall not be subject to disciplinary action for violations of this Code related to the reported conduct, provided that the conduct did not involve intentional or egregious harm. This provision is intended to encourage reporting and aligns with protections outlined in the Texas Education Code.

Anonymous Reports

The University welcomes anonymous reports of alleged violations of this Code, including allegations of hazing. The University may evaluate them, initiate or continue an investigation (including one of hazing), and impose interim measures, regardless of whether the reporting party elects to participate in the investigation or requests anonymity. The University may determine that an anonymous report lacks sufficient information to support further investigation or conduct action.

Prohibited Conduct

The following conduct, including attempts to engage in them, violates the Code and may result in disciplinary action. These are organized by category for clarity, but this is not an exhaustive list of prohibited conduct. Students are responsible for complying with all University policies, TSUS Rules & Regulations, and applicable laws.

1. Academic Honesty: Engaging in academic dishonesty as described by the Academic Affairs Honesty Policy, including but not limited to cheating, plagiarism, collusion, abuse of resource materials, or falsification of data. Academic misconduct may be addressed through the University's Academic Honesty policy and, when appropriate, through this Code.

2. Alcohol and Drug Violations

A. Underage Possession or Consumption of Alcohol: Unlawful possession, consumption, or attempted consumption of alcohol by individuals under 21.

B. Alcohol-Related Misconduct: Possessing, providing, using, or distributing alcoholic or intoxicating beverages in a manner that violates University policies or that would constitute an offense under appropriate federal, state, or municipal law (e.g., possessing or consuming alcohol in unauthorized campus areas, or being under the influence to the extent that action disrupts University activities or community or individual safety).

C. Public Intoxication: Being impaired by alcohol or drugs in a public place, endangering oneself or others, or causing a disturbance.

D. Driving Under the Influence: Operating a motor vehicle while impaired by alcohol, drugs, or other substances.

E. Illegal Drugs: Possessing, using, selling, or distributing any illegal drug or controlled substance on or off University Property or during University affiliated activities.

F. Drug Paraphernalia: Possessing, using, delivering, or manufacturing drug paraphernalia on or off University Property.

3. Safety and Welfare Violations

G. Campus Disruptive Activities: Conduct that obstructs movement, seizes control of campus spaces, or disrupts University activities through force, threats, or interference (e.g., blocking entrances, occupying classrooms).

H. Endangering Persons or Property: Conduct that threatens the health, safety, or well-being of any person, or that creates a substantial risk of damage to property, including actions causing or likely to cause injury, significant property damage, or a reasonable fear of harm. re likely to cause injury or creating a reasonable fear of harm.

I. Damage to Property: Damaging, destroying, defacing, vandalizing, misusing, or creating a substantial risk of damage to University property or the property of others.

J. Disorderly or Disruptive Conduct: Conduct that materially and substantially disrupts or interferes with teaching, learning, research, University operations,

University-sponsored activities, or the rights of others. Examples include but are not limited to fighting, threatening behavior, repeated classroom disruption, obstructing University activities, or conduct creating a hostile or unsafe environment.

K. Hazing – Individual: Any intentional, knowing, or reckless act directed against a student in connection with pledging, initiating, affiliating with, or maintaining membership in a university-affiliated organization. Hazing includes physical brutality, forced consumption of substances, or tasks risking mental or physical harm as outlined in state and federal law.

L. Hazing – Organization: A student organization may be held responsible for hazing when:

- i. The conduct involves one or more members, pledges, or associates of the organization;
- ii. The conduct occurs in connection with organizational activities, whether formal or informal;
- iii. One or more of the organizational officers, leaders, or members knew or reasonably should have known of the conduct; or
- iv. The organization, through action or inaction, condoned, encouraged, or tolerated the conduct.
- v. A student organization may be held responsible regardless of whether specific individual perpetrators are identified.

M. Failure to Report Hazing: *The failure to report known hazing activity to the University or law enforcement as required by applicable law.*

Harassment: Threatening or bullying behavior, in person or electronically, that violates Texas law or adversely affects the University community.

Stalking or Harassment Concerns: Unwanted, repeated attention or behavior causing fear, intimidation, or emotional distress.

Theft and Unauthorized Use: Taking, possessing, or selling property or services without consent, or the unauthorized use of University resources.

Weapons Concern: Unlawfully carrying, possessing, displaying, transporting, transferring, or using a weapon.

4. Community Accountability

N. False Report: *Providing false information, testimony, or evidence to the University.*

O. Failure to Comply: Failing to follow or respond to a University official's

directive or an official notice within the designated timeframe.

P. False to Maintain Accurate Contact Information: Providing false contact information or failing to update one's accurate contact information (e.g., email, phone number, address) with the University.

Q. Failure to Maintain a Valid Student ID Card: Failing to acquire, maintain, or replace a University-issued ID card, or misusing it.

R. Interference with University Processes: Interfering with, obstructing, or attempting to improperly influence a University investigation, conduct proceeding, hearing, or other administrative process.

S. Complicity: Assisting, facilitating, encouraging, directing, participating in, or knowingly contributing to the commission of misconduct by another person or organization.

T. Retaliation: No student or student organization may intimidate, threaten, coerce, harass, or take adverse action against another person for (1) reporting a potential violation of this Code; (2) participating in an investigation or conduct process; or (3) exercising rights under this Code. Retaliation constitutes a separate violation of this Code and may result in disciplinary action. Adverse actions against a person for participating in a complaint process; examples include but are not limited to intimidation or harassment.

U. Shared Responsibility: When multiple students act collectively in a manner that violates this Code, each participant may be held responsible for their involvement in the conduct.

Property, Records, and University Operations

V. Forgery or Misrepresentation: Forging, altering, falsifying, misusing, or possessing without authorization any University record, document, credential, identification card, form, or official communication.

W. Unauthorized Access or Entry: Unauthorized entry into, use of, or occupancy of University facilities, property, information systems, equipment, or resources.

X. False Emergency Reports: Knowingly initiating or circulating a false report of fire, bomb threat, emergency, crime, or other condition that may cause evacuation, public alarm, disruption, or emergency response.

Explosives and Dangerous Devices: Possessing, igniting, detonating, or using unauthorized explosives, fireworks, incendiary devices, or other dangerous materials.

Gambling: Participating in gambling activity prohibited by law or University policy.

Technology Misuse. Unauthorized access to, interference with, disruption of, misuse of, or damage to University technology resources, networks, systems, accounts, or data.

Policy Violations

Y. Violation of University or System Policy: Intentionally, knowingly, or recklessly violating a TSUS or University policy, regulation, directive, or rule.

Other Violations

Z. Violation of Law: Engaging in conduct that violates federal, state, or local laws, whether on or off University Property.

AA. Student Misconduct: Conduct that materially or adversely affects the University's educational environment, operations, community safety, or the rights of others.

5. Amnesty for Reporting/Seeking Help

1. Because the University prioritizes the health and safety of its students, students who seek medical assistance for themselves or others due to alcohol or drug intoxication, or who report incidents of hazing, sexual misconduct, or other serious violations, will not be subject to disciplinary action under this Code for their own minor policy violations (e.g., underage drinking) at the time of seeking help or reporting, provided they cooperate with University officials and engage in recommended educational interventions. This policy is intended to remove barriers to seeking help and to encourage health and safety-related reporting.

With respect to hazing allegations, a student who, in good faith, reports hazing or participates in an investigation shall not be subject to disciplinary action for violations of this Code related to the reported conduct, provided that the conduct did not involve intentional or egregious harm. This provision is intended to encourage reporting and aligns with protections outlined in the Texas Education Code.

3) ADMINISTRATION OF THE STUDENT CODE OF CONDUCT

3.01 - Authorization to Adjudicate

The Dean of Students or designee, under the direction of the Vice President for Student Affairs, is authorized to administer this Code. Title IX allegations are forwarded to the University's Office of Title IX and Discrimination Resolution for investigation and resolution. Academic honesty matters follow the University's Academic Policy Statement on the matter as most recently amended.

A. Investigation and Adjudication Timing

1. Diligent investigations: The Dean of Students' Office is committed to conducting investigations and adjudication processes diligently and efficiently, striving for a prompt resolution while ensuring thoroughness, fairness, and compliance with any applicable laws. This commitment supports outcomes that protect the rights of all parties and maintains the integrity and safety of the University community. The Dean of Students' Office will prioritize timely handling of all cases, including those requiring coordination with law enforcement or

involving multiple parties, consistent with due process requirements.

2. Timing: The Dean of Students' Office is not subject to timing limitations for initiating an investigation or reaching findings on alleged violations of the Code, provided that the individual or organization remains subject to the Code's applicability.

3.02 - Disciplinary Procedures

1. Initiation: Disciplinary proceedings begin with the submission of an Incident Report to the Dean of Students' Office. The Dean of Students or designee investigates reported violations, offering students a reasonable opportunity to respond. A registration hold may be placed on a student's account if a student does not respond timely.

2. Mutual Resolution Agreement: The Dean of Students or designee may offer a MRA as an alternative means of resolving certain alleged violations of this Code.

3. A MRA is voluntary: The student is not required to accept the agreement and may instead elect to participate in the Administrative Review process.

4. A student's acceptance of a MRA must be knowing and voluntary.

5. The student's acceptance of the MRA constitutes acknowledgment that the student has read and understood the MRA.

6. The student's execution of the agreement constitutes acknowledgment that the student has read and understood the agreement and voluntarily waives the procedural rights identified therein.

7. Failure to comply with the terms of an executed MRA may result in additional disciplinary action or reopening of the matter through the student conduct process.

8. An executed MRA is final and is not subject to appeal.

9. An MRA shall become effective once signed by the student and the Dean of Students or designee.

10. A student's failure to respond to an offer of a MRA shall not constitute acceptance of the agreement and may result in the matter proceeding through the student conduct process, including but not limited to in absentia proceedings.

UNIVERSITY AUTHORITY REGARDING MUTUAL RESOLUTION AGREEMENTS

The decision to offer a MRA rests solely with the Dean of Students or designee. The University retains sole discretion to determine:

1. Whether a case is appropriate for resolution through a MRA;
2. Whether to offer an MRA;

3. The specific violation(s) to be resolved through the MRA;
4. The sanction(s), educational requirement(s), condition(s), deadline(s), and other terms included in the MRA; and
5. Whether a student has satisfactorily completed the requirements of the MRA.

A student may accept or reject a proposed MRA but may not unilaterally modify its terms.

If a student declines the proposed MRA, or if the parties do not reach agreement on the proposed resolution, the matter shall proceed through the student conduct process as outlined in this Code.

An MRA may be utilized when:

1. The alleged violation is minor in nature as determined by the University;
2. The student voluntarily accepts responsibility for the alleged violation;
3. The student voluntarily agrees to the proposed sanction(s); and
4. The Dean of Students or designee determines that resolution through an MRA is appropriate.

By accepting an MRA, the student:

1. Accepts responsibility for the alleged violation(s);
2. Waives the right to an Administrative Review regarding the alleged violation(s);
3. Waives the right to a hearing before the Student Disciplinary Hearing Committee regarding the alleged violation(s); and
4. Agrees to timely complete the sanction(s) identified in the agreement

Administrative Review: Except where resolved through a Mutual Resolution Agreement, dismissed by the University, or addressed through an interim emergency action process as authorized by this Code, every alleged violation of the Code shall first proceed through an Administrative Review conducted by the Dean of Students or designee.

1. Following the receipt of an Incident Report or any other indication of a possible violation of the Code, and as deemed appropriate by the University, the Dean of Students' Office shall provide written notice to the student or organization of the alleged violation(s) and directing the student or organization to schedule an Administrative Review.
2. The student or organization alleged to have violated the Code shall be required to participate in the Administrative Review process as a condition of continued enrollment and participation in University programs and activities. The failure to timely schedule, attend, or otherwise participate in the Administrative Review process may result in the matter proceeding in absentia and may result in a charge and finding of Failure to Comply and the placement of holds or other appropriate administrative actions.
3. The Administrative Review is the University's initial adjudicative process, whose purpose is for the Dean of Students or designee to informally present alleged violations of the Code, hear the student's perspective, and

determine if a violation occurred based on a preponderance of evidence standard. If there is evidence that a violation of the Code occurred, a review of sanctions will be provided to the student.

4. Only after completion of the Administrative Review and issuance of a written outcome may a respondent then request a hearing before the Student Disciplinary Hearing Committee as provided in this Code.

After a written outcome of the findings and, if applicable, sanction(s), is provided to the student, the student can either:

1. Waive their right to a hearing by the Student Disciplinary Hearing Committee and accept the findings and sanctions, or;
2. If the student does not accept the findings or sanctions, request a formal review by the Student Disciplinary Hearing Committee (except for matters where the sanction is only a verbal or written warning).

Student Response to Findings from Administrative Review.

1. If a student accepts the findings and sanctions from the Administrative Review, the student may submit their written acceptance to the Dean of Students' Office by 5:00 P.M. within two (2) Class Days of delivery of the outcome letter issued by the Dean of Students' Office. If acceptance is not timely provided by the student, then the sanctions are imposed, and the right to request a formal hearing is waived.
2. If a student does not accept the findings and sanctions from the Administrative Review, the student must submit a written request for a formal hearing with the Student Disciplinary Hearing Committee to the Dean of Students' Office by 5:00 P.M. within two (2) Class Days of the delivery of the outcome letter issued by the Dean of Students' Office. If a request for a formal hearing is not submitted timely, then the sanctions are imposed and the right to request a formal hearing is waived.

Sanction Finality

A disciplinary sanction becomes final when:

1. As part of an Administrative Review: (a) upon written acceptance by the student; (b) if the only sanction is a warning; or (c) the student has not timely submitted a written request for a formal hearing with the Student Disciplinary Hearing Committee to the Dean of Students' Office.
2. As part of a Student Disciplinary Hearing Committee process: (a) the only sanction assessed is a warning; or (b) the student has submitted a written appeal to the Vice President for Student Affairs or their designee by 5:00 p.m. within five (5) Class Days after the Student Disciplinary Hearing Committee provided its written notification of findings and sanctions to the student.

Upon written notification to the student of the decision of the Vice President of Student Affairs or designee, whose decision is final and not appealable.

3.03 - Disciplinary Sanctions

Sanctions aim to provide a safe learning and living environment, educate students, promote responsible, safe, and legal behavior, protect the health and safety of the University community, address harm caused to individuals or the University community, deter future misconduct, and restore relationships. In determining sanctions, the University may consider (1) the nature and severity of the violation; (2) prior conduct history; (3) acceptance of responsibility; (4) harm to individuals or the University community; and (5) the involvement of a student organization and its leadership and culture. Mitigating or aggravating factors (e.g., motive, disciplinary history, impact on the University or University community, and the likelihood of recurrence) may influence sanctions. Sanctions may be imposed individually or in combination with other sanctions. Examples of sanctions include, but are not limited to:

A. Disciplinary Warning: Written notice that a violation has occurred, with further violations risking additional disciplinary action.

B. Restricted Privileges: Denial of specified privileges including but not limited to parking, dining, living, or extracurricular participation for a designated period.

C. Special Project: Completion of an educational essay, community service, or workshop, the purpose of which is to address the violation and prevent recurrence.

D. Restitution: Compensation for damage caused to the University or any person's property, via payment or community service.

E. Disciplinary Probation: Indicates a student is not in good standing for a designated period, restricting leadership roles or representation of the University.

F. Deferred Suspension: Probation for a designated period with the understanding that a further violation results in suspension.

G. Disciplinary Suspension: Temporary separation from the University, prohibiting enrollment or campus presence for a designated period.

H. Disciplinary Expulsion: Permanent separation from the University and TSUS components. Expulsion is the permanent separation of a student from the University. The Dean of Students or designee through Administrative Review, or the Student Disciplinary Hearing Committee following a formal hearing, may recommend expulsion. Any recommendation for expulsion shall be reviewed by the Vice President for Student Affairs or designee before becoming final. A decision approving expulsion shall be communicated in writing and shall be subject to the appeal procedures outlined in this Code.

I. Transcript Notation: The University may place disciplinary notations on a student's transcript in accordance with TSUS policy, University policy, and applicable law. The duration and removal of any notation shall be governed by applicable institutional records and transcript practices.

J. Student Organization Sanctions: In addition to any sanctions imposed upon individual students, sanctions for student organizations may include educational requirements, restitution, probation, restrictions on activities or events, loss of privileges, suspension of recognition, or revocation of University recognition.

FAILURE TO RESPOND / IN ABSENTIA ADJUDICATION

If a student or organization fails to participate in the Administrative Review process after the University sends notice is deemed to have waived the opportunity to participate in an Administrative Review. The University may proceed in absentia including by issuing findings and sanctions. A student's failure to participate in the conduct process does not prevent the resolution of the case by the University.

In such cases:

1. The Dean of Students or designee may review the available information;
2. A determination of responsibility may be made based on the preponderance of the evidence;
3. Appropriate sanctions may be imposed; and
4. The student or organization may request a formal hearing before the Student Disciplinary Hearing Committee as outlined in this Code after issuance of the Administrative Review outcome.

3.04 - Interim Disciplinary Action

1. **Interim Disciplinary Action:** In a matter involving non-Title IX alleged violations, the President, Vice President for Student Affairs, or designee may take immediate interim disciplinary action, including but not limited to suspension, until such time as a conduct-related hearing against a student or student organization may take place. An interim disciplinary action may be undertaken when the continuing presence of the student or student organization poses a danger to persons or property or there is an ongoing threat of disrupting the academic or business processes of the University. A conduct-related hearing shall be held as soon as practicable after the suspension.

Interim measures may include, but are not limited to, temporary removal from University housing, restrictions on access to specified locations or activities, no-contact directives, suspension of organizational activities, or interim suspension from the University.

In the event of a matter involving a student's mental health, a peace officer may take a person into custody and transport the person to the nearest appropriate mental health facility if the officer has reason to believe and does believe that there is substantial risk to the person or to others unless the person is immediately

restrained. The officer shall fully comply with the provisions of the Texas Health and Safety Code and other applicable law.

Such actions are not disciplinary or penal in nature, nor are they treated as interim suspensions or removals, unless the person has violated a policy or rule of the System or of the University. As soon as possible, the peace officer shall inform the appropriate Vice President (or designee) of actions taken regarding an affected person.

Timing: The student or student organization will be notified promptly of the interim disciplinary action and may request an administrative review or formal hearing within 10 class days. The Dean of Students or designee will schedule the review or hearing within 5 class days of the request, unless good cause requires an extension.

HAZING INVESTIGATIONS AND ORGANIZATIONAL PROCEEDINGS

Hazing Investigations

The University may investigate allegations of hazing involving a student organization whenever it receives information suggesting that hazing may have occurred. The University retains sole discretion to determine the scope, manner, timing, and sequence of any investigation.

Investigative Authority

Upon receiving a report of alleged hazing, the Dean of Students or designee may conduct an investigation to determine whether:

1. Hazing may have occurred;
An organization may be responsible for the conduct;
Interim action is necessary to protect the health or safety of students or the University community; and
Formal charges are appropriate.

Investigative Methods

As part of an investigation, the University may:

1. Interview students, employees, advisors, alumni, or other persons with relevant information;
Review photographs, videos, electronic communications, social media content, and other records;

Collect written statements;
Review organizational records;
Consult with law enforcement agencies; and
Use any other investigative method reasonably calculated to determine the relevant facts.

Order of Investigation

1. The University shall determine the order in which investigative activities occur. The University is not required to provide advance notice to a student organization before gathering information, conducting interviews, collecting evidence, or taking other investigative actions.

The University may interview witnesses and collect evidence before meeting with organizational leaders or representatives.

Organizational Cooperation

1. Student organizations and their members shall cooperate with University investigations.

No student, student organization, officer, member, alumnus, advisor, or representative thereof may direct, discourage, interfere with, or attempt to influence the participation of witnesses in a University investigation. Interference with a University investigation may constitute a separate violation of this Code.

Failure of an organization to participate in proceedings after receiving notice shall not prevent the University from resolving the matter and imposing sanctions.

A student organization's failure to reasonably cooperate with a *University investigation may be considered in determining responsibility and sanctions.*

Organizational Meeting

1. At an appropriate stage of the investigation, the University, in its discretion, may meet with organizational leaders or representatives to provide information regarding the allegations and an opportunity to respond. Nothing in this Code shall require the University to meet with organizational leaders or representatives before completing investigative activities.

While the University will make best efforts to cooperate and communicate with student organizations and leaders and representatives, the University is entitled to take steps to preserve the integrity of the investigation.

Organizational Responsibility Factors

In determining whether a student organization is responsible for hazing, the University may consider:

1. Whether the conduct occurred during an organizational activity, informally or formally;

Whether organizational officers and/or members knew or reasonably should have known of the conduct;

Whether members participated in the conduct;
Whether the conduct was planned, encouraged, tolerated, or condoned by the organization and/or its members;
Whether organizational resources, communications channels, facilities, funds, or leadership structures were used in connection with the conduct; and
Any other relevant information.

3.05 - Student Disciplinary Hearing Committee – Formal Administrative Review

AUTHORITY OF THE STUDENT DISCIPLINARY HEARING COMMITTEE

The Student Disciplinary Hearing Committee (SDHC) serves as a formal adjudicatory body. The SDHC is not an appellate body, but conducts hearings de novo. When a student timely requests a hearing following an Administrative Review, the SDHC shall conduct an independent review of the allegations and evidence. The SDHC is not bound by findings or sanctions previously issued through the Administrative Review process and may determine responsibility and impose sanction(s) as authorized by this Code.

When a case is referred to or requested before the SDHC:

1. The Committee shall conduct a full and independent review of the matter;
2. The Committee is not bound by prior findings or sanctions issued at the Administrative Review level;
3. The Committee may determine responsibility and assign any sanction authorized under this Code, up to and including a recommendation for expulsion;
4. The Committee's determination shall be based on the preponderance of the evidence.
5. The hearing before the SDHC is considered a new adjudication of the matter.

A. Composition. The Committee is composed of faculty, staff, and students.

1. 12 full-time faculty are appointed by the Faculty Senate, with alternating two-year terms ending on August 31.
2. Six staff members are appointed by the University President, with alternating two-year terms ending on August 31.
3. 12 students are appointed by the Student Government Association, serving one-year terms ending on May 31.
4. The Chair of the Committee is appointed by the Vice President of Student Affairs or the Dean of Students.
5. For hearing-related purposes, at least three members of the committee must be present.

B. Rights and Procedure

Notice. At least five class days before the hearing, the student will receive a written notification from the Dean of Students' Office outlining:

- a. The University policy allegedly violated;
- b. A summary of the facts alleged to constitute the violation;
- c. The date, time, and location of the hearing;
- d. The names of expected witnesses and a summary of their anticipated testimony;
- e. A description of other evidence the Dean of Students or their designee plans to present;

- f. Whether the Dean of Students or their designee intends to use legal counsel for purposes beyond advising;
- g. The requirement that the student submit a list of witnesses and a summary of their anticipated testimony to the Dean of Students or their designee at least 72 hours before the hearing; and
- h. The names of the Chair of the Committee and members.

2. Student Participation. The student may attend the hearing and present relevant evidence. If the student does not attend, the hearing may proceed. The student may present their defense and provide oral or written witness statements.

3. Student's Advisor. The student may have an advisor or counsel present during the hearing, at the student's expense. The University is not responsible for providing an advisor or counsel.

- a. The advisor may not address the board, question witnesses, or participate in the hearing except to advise the student.
- b. If the Dean of Students or their designee uses legal counsel for purposes beyond advising, the student may do the same, with prior notification as provided in this section.

4. Impartiality Challenge. The student may challenge the impartiality of any Committee member before the presentation of testimony or evidence. The Chair of the Committee determines if the challenged member can serve fairly. If the challenged member withdraws and no appointed alternate is available, the Dean of Students or her designee may appoint a replacement for that case.

5. Evidence Notification: At least 48 hours before the hearing, both the student and the Dean of Students or designee must exchange the names of witnesses, summaries of testimony, documents, and other evidence to be presented.

6. Burden of Proof: The Dean of Students or designee must present evidence and prove the violation by a preponderance of the evidence.

7. Witness Examination: The student, the Dean of Students or designee, and Committee members may question witnesses on relevant matters.

8. Recording: The hearing, excluding the Committee's deliberations, will be recorded by the Committee. The student may request a free electronic copy of the recording. Additional records incurring costs will be paid by the requesting party.

9. Postponement: The Dean of Students or designee may postpone a hearing for good cause. A student's request for postponement must be submitted to the Dean of Students' Office at least 24 hours before the hearing.

10. Chair's Role: The Chair determines the procedure, rules on evidence of admissibility, and maintains decorum during the hearing. The Chair does not vote on a decision unless to cast a tie-breaking vote.

11. Witness Attendance: The Chair may issue a written request for a witness to testify or produce documents. Students requested to appear are expected to comply with the request.

12. Confidentiality: Only the Committee, Dean of Students or their designee, legal counsel, the student, the student advisor, and the current testifying witness may be present during the entire hearing. Witnesses may only stay for introductions, procedural explanations, and their testimony unless agreed to otherwise. All attendees must treat matters discussed confidentially.

13. Evidence Standards: Legal rules of evidence do not apply. Evidence is admissible if credible and reliable for reasonable decision-making. The Chair makes all rulings relating to evidence.

14. Right Against Self-Incrimination: Students cannot be compelled to testify against themselves.

15. Hearing Procedures.

- a. The Chair invites all authorized parties into the hearing room or virtual platform.
- b. The Chair reads a confidentiality statement.
- c. The Chair states the alleged Code violation.
- d. The Dean of Students or their designee presents evidence of the alleged violation.
- e. The student may present their defense or relevant information.
- f. The parties may question witnesses.
- g. The parties may present rebuttal evidence.
- h. The parties may offer brief closing statements.
- i. The Committee deliberates privately and decides by simple majority vote of the members present whether the student violated the Code and, if so, determines the sanction(s). The Chair reports the finding(s) and sanction(s) to the parties, including appeal rights if a violation and sanction are found.
- j. The Committee will aim to resolve disciplinary cases within 30 business days of receiving a complaint, unless good cause requires additional time.

STUDENT ORGANIZATION CONDUCT PROCEEDINGS

When allegations of hazing involve a student organization, the University will apply conduct procedures consistent with those afforded to individual students, with modifications appropriate for organizational respondents.

Dean of Students' Office Authority. The Dean of Students' Office may investi-

gate and adjudicate alleged misconduct involving student organizations when the alleged conduct constitutes a Level 2, Level 3, or Level 4 violation under applicable University policies, or when the University determines that the nature, severity, or impact of the allegations warrants review through the student conduct process.

Level 1 organizational compliance matters may ordinarily be addressed through administrative processes established by Campus Activities & Involvement, Fraternity and Sorority Life, Club Sports, the College of Osteopathic Medicine, or other University offices.

Nothing in this Code limits the authority of the Dean of Students' Office to investigate or adjudicate organizational misconduct under this Code when appropriate, as determined by the Dean of Students' Office.

Notice to Organization. The organization shall receive written notice that includes:

- The alleged violation(s);
- A summary of the facts forming the basis of the allegations;
- Identification of the conduct as organizational hazing, where applicable; and
- Information regarding the applicable conduct process.
- Notice shall be sent to the organization's president (or designee) and advisor of record.
- Organizational Representation. The organization may be represented by:
 - Its president or a designated officer;
 - Additional members as appropriate; and/or
 - An advisor of the organization's choosing (subject to the same limitations applicable to student advisors).

Advisors may not directly participate in proceedings (e.g., the advisor may not address the committee, question witnesses, or participate in the hearing except to advise the student).

DETERMINATION OF RESPONSIBILITY

The University may determine organizational responsibility independently of individual student outcomes. Organizational responsibility will be determined using the preponderance of the evidence standard.

RELATIONSHIP TO INDIVIDUAL PROCEEDINGS

The University may:

1. Proceed concurrently against both the organization and individual students;
or
2. Resolve organizational allegations separately.
3. The outcome of one process does not depend on the outcome of the other.

INTERIM SUSPENSION

1. The President, Vice President for Student Affairs, or designee may impose an interim suspension on a student or student organization when:

2. The individual or organization poses an immediate threat to the health or safety of the University community; or
3. The conduct poses a significant disruption to University operations.

Examples of circumstances that may warrant interim disciplinary action include, but are not limited to, alleged acts of violence, assault, aggravated assault, stalking, serious threats, weapons violations, significant disruption of University operations, or other conduct presenting an immediate risk to the health or safety of any person or damage to property.

A student or organization shall be:

1. Notified promptly of the interim suspension; and
2. Provided an opportunity to request a review in accordance with TSUS Rules and Regulations.

4) APPEAL PROCESS OF THE STUDENT DISCIPLINARY HEARING COMMITTEE

1. A decision of the Student Disciplinary Hearing Committee may be appealed to the Vice President for Student Affairs (VPSA) or designee.
2. An appeal is not a rehearing of the original case. Decisions of the Committee are final for cases resulting in a verbal or written warning. For all other sanctions, either party may appeal to the VPSA or designee based only on these grounds:
 - a. Procedural error that affected the outcome;
 - b. Disproportionate sanction;
 - c. New evidence not reasonably available at the time of the hearing; or
 - d. A decision not supported by a preponderance of the evidence.

4.01 - Appeal Procedure

- To initiate an appeal, a party must first submit a written notice of the appeal to the VPSA or designee no later than 5:00 P.M. five business days after the SDHC's written decision, specifying the reason(s) for the appeal.
- Then, all of the appellant's supporting documentation must be filed with the VPSA or designee no later than 5:00 P.M. five business days after filing the notice of appeal.
- At the VPSA or designees' discretion, parties may present oral or written arguments to support their appeal.

Upon proper and timely submission of the written notice and supporting documentation:

- The VPSA or designee will review the Committee's materials and may request additional written or oral statements from the parties. The appeal will be conducted within 10 business days after the VPSA or designee receives all supporting documentation, unless the VPSA or designee postpones the decision for good cause.

- If the student is required to appear in person, they may have an advisor present, subject to the provisions in this Code.
- The VPSA or designee will provide a written decision to the parties, the Chair of the Committee, and the Dean of Students' Office, either affirming, reversing, or modifying the Committee's decision or remanding the case to the Committee for further action.
- The VPSA's or designee's decision is final, and not subject to additional appeal.

4.03 Discretionary Review

The VPSA or designee may exercise discretionary review within five (5) business days after issuance of the SDHC's written decision. The VPSA shall provide

STANDARD TIMELINES

To promote fairness and consistency, the following standard timelines apply to the student conduct process:

Notice of Allegations

Students and student organizations will be provided with written notice of alleged violations prior to any administrative review or hearing.

Response to Administrative Review Notice

Students and student organizations shall have five (5) Class Days from the date of notice to respond or schedule an Administrative Review.

Request for Formal Hearing

Students and student organizations shall have two (2) Class Days from the date of the Administrative Review outcome to request a hearing before the Student Disciplinary Hearing Committee.

Formal Hearing Notice

Students and student organizations shall receive at least five (5) Class Days' notice of a formal hearing.

Evidence Exchange

Parties must exchange witness lists and evidence no later than two (2) Class Days prior to a formal hearing. It is the student's or student organization's responsibility to initiate the witness and evidence exchange.

Appeal Submission

Appeals must be submitted within five (5) Class Days of the decision issued by the SDHC.

Appeal Decision

The University will issue a decision on appeal within ten (10) business days of receiving all required materials, absent good cause.

Failure to comply with the above timelines by a student or student organization may result in the resolution of the matter in absentia or waiver of applicable

rights.

The University may extend any deadline for good cause, with notice to the parties.

RELATIONSHIP TO TSUS RULES AND REGULATIONS

This Code shall be interpreted consistently with applicable federal and state law and the Texas State University System Rules and Regulations.

If a conflict exists between this Code and governing law or TSUS Rules and Regulations, the governing law or TSUS Rules and Regulations shall control.

For a list of university policies, go to shsu.edu/doso

[illegible]



Sam Houston State University

Dean of Students' Office

MEMBER THE TEXAS STATE UNIVERSITY SYSTEM

Email: doso@shsu.edu

Phone: 936.294.1785